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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,030	02/10/2004	Kunihiro Matsuura	02008/149001	9063

7590 - 11/14/2005

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EXAMINER

KOBERT, RUSSELL MARC

ART UNIT PAPER NUMBER

2829

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/776,030

Applicant(s)

MATSUURA ET AL.

Examiner

Russell M. Kobert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-8 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>0705</u> . | 6) <input type="checkbox"/> Other: _____  |

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1. Applicant's election without traverse of Invention I, claims 1-8 and 10, in the reply filed on 25 October 2005 is acknowledged.
2. Claim 9 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 25 October 2005.
3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. A good example of such a title, although not necessarily related to this specific case, could be "*Method and Apparatus for Passive Optical Characterization of Semiconductor Substrates Subjected to High Energy (MEV) Ion Implantation Using High-Injection Surface Photovoltage.*"
4. The abstract of the disclosure is objected to because it contains an excessive number of words. Correction is required. See MPEP § 608.01(b).
5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

**The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length** since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. Claim 1 is objected to because of the following informalities: With reference to the "second external conductor" of the second coaxial cable, it is not clear if Applicants actually intended the second external conductor to surround the first internal conductor of the first coaxial cable. It is presumed that Applicants actually intended the second external conductor to surround the second internal conductor. Appropriate correction is required.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuboyama et al (5014012).

Kuboyama et al anticipates a testing apparatus (Figures 1-3) for testing a device under test (2) by supplying a current ( $I_{DC}$ ) to the device under test, comprising:

a first power supply unit (3) for generating a current ( $I_{DC}$ ) generated by current generators 3A and 3B) to be supplied to the device under test; and

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first and second coaxial cables (4A and 4B respectively) through which the current generated by the first power supply unit is supplied to the device under test, wherein the first power supply unit comprises:

a current detecting unit (combination of resistors "R" and sense resistor  $R_{\text{sense}}$  shown in Figure 3) for detecting an amount of a voltage drop ( $V_1$ ) when the current generated by the first power supply unit passes through a predetermined resistor ( $R_{\text{sense}}$ ); and

a current controlling unit (resistors "R" in combination with Op Amp and Power MOSFETS 31A / 31B) for controlling the current being supplied to the device under test in response to the amount of the voltage drop detected by the current detecting unit (note formula shown in figures that determine ( $I_{\text{DC}}$ )),

the first coaxial cable comprises:

a first internal conductor (shown as wire extension from 4A connected to output of current generator 3A) for conducting the current from the first power supply unit towards the device under test; and

a first external conductor (shown as outer portion of 4A connected to input of current generator 3A) provided around the first internal conductor with an insulator interposed therebetween (inherent to coaxial cables) for conducting the current from the device under test towards the first power supply unit, and

the second coaxial cable comprises:

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a second internal conductor (shown as wire extension from 4B connected to input of current generator 3B) for conducting the current from the device under test towards the first power supply unit; and

a second external conductor (shown as outer portion of 4B connected to output of current generator 3B) around the "second" internal conductor with an insulator interposed therebetween (inherent to coaxial cables) for conducting the current from the first power supply unit towards the device under test; as recited in claim 1.

As to claim 2, having a current the controlling unit controlling the current supplied to the device under test so as to negate the amount of the voltage drop caused by the predetermined resistor is anticipated by Kuboyama et al (col 7, ln 1-11).

As to claim 3, having a voltage detecting unit for comparing a voltage to be applied to the device under test with a voltage being practically applied to the device under test and outputting a comparison result thereof, wherein the current controlling unit controls the current supplied to the device under test further based on the comparison result outputted by the voltage detecting unit is considered inherent to the operation of the power source units shown in Figure 3.

9. The following is a statement of reasons for the indication of allowable subject matter:

Claims 4-8 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The added limitation of the first

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internal and second external conductors coupled in parallel to each other as described in claim 4 has not been found and the configuration of elements described in claim 5 have not been found. **It is further noted that the examiner's reasons are understood to be predicated upon consideration of each of the claims as a whole, and not upon any specific elements of the claims.**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rynaszewski (3054948) and Oosaki et al (6275023) show devices for supplying a controlled current to a device under test through coaxial cables.

Peterson (1860052) shows what is effectively two strip lines where what is effectively the "inner conductor" of a first stripline and a ground line of a second stripline are connected together to conduct in a first direction and the "inner conductor" of the second stripline and the ground line of the first strip line are connected together to conduct in a second direction but does not show such an arrangement in a coaxial arrangement.

11. A shortened statutory period for response to this action is set to expire three month(s) from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell Kobert whose telephone number is (571) 272-

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1963. The Examiner's Supervisor, Nestor R. Ramirez, can be reached at (571) 272-2034. For an automated menu of Tech Center 2800 phone numbers call (571) 272-2800.



Russell M. Kobert  
Patent Examiner  
Group Art Unit 2829  
November 8, 2005



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PRIMARY EXAMINER  
A-u. 2829  
11/10/05